

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

BRIAN ALLEN KIBBEY §
§
v. § CIVIL CASE NO. 4:21-CV-799-SDJ
§
COLLIN COUNTY DETENTION §
FACILITY, ET AL. §

**MEMORANDUM ADOPTING THE REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On February 8, 2023, the Report of the Magistrate Judge, (Dkt. #120), was entered containing proposed findings of fact and recommendations that Defendants District Attorney Willis, District Clerk Finley, Officer Munn, Lieutenant Rodriguez, Officer Burrs, Lieutenant Leahy, Lieutenant Smart, Officer Hernandez, Officer Alexander, and Officer Ray’s Motion to Dismiss for Want of Prosecution for Plaintiff’s Failure to Provide Current Mailing Address to Court, (Dkt. #113), be denied. Having assessed the Report, and no objections thereto having been timely filed, the Court determines that the Magistrate Judge’s Report should be adopted.

It is therefore **ORDERED** that Defendants District Attorney Willis, District Clerk Finley, Officer Munn, Lieutenant Rodriguez, Officer Burrs, Lieutenant Leahy, Lieutenant Smart, Officer Hernandez, Officer Alexander, and Officer Ray's Motion to Dismiss for Want of Prosecution for Plaintiff's Failure to Provide Current Mailing Address to Court, (Dkt. #113), is **DENIED**.

So ORDERED and SIGNED this 28th day of February, 2023.



SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE